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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Inventor: Godehard A. Guenther
Serial No.: 09/439,416
Filed: November 13, 1999
For: Low Cost Motor Design for
Rare-Earth-Magnet Loudspeakers
Atty. Docket: 102316-3 (formerly 0322282-0003)

Examiner: D. Harvey

Group Art Unit: 2743

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July 12, 2001
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By:

Michael I. Falkoff
Reg. No: 30,833INTERVIEW SUMMARY,
CORRECTION and
REQUEST FOR RECONSIDERATION

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Assistant Commissioner for Patents
Washington, DC 20231

To the Examiner:

Applicant's attorney expresses appreciation for an interview granted by Examiners D. Harvey and S. Tran on July 12, 2001. No agreement was reached, and this is believed partly due to a misunderstanding which this paper is submitted to correct. Reconsideration of the claims and allowance is requested in view of the following.

During the interview the parties focused on Applicant's position that the Watkins '216 reference does not show a speaker arrangement with a voice coil having two or more wire coils

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directly connected in parallel with each other and layered on top of one another. The Examiner had previously not explicitly addressed the "directly connected" limitation, and had cited the first part of the first full paragraph of column 4 of that patent, which clearly describes parallel winding but an entirely different connection. Both Examiners further pointed to Figure 2 asserting that that figure does show direct parallel connection of the coils. Applicant's attorney, somewhat stunned since he had read the patent several times and seen no hint of such a connection, acknowledged that the figure did appear to show the ends of the coils connected together, but argued that one should be wary of interpreting a drawing when the text contradicts it. (The text says the coils are wound in parallel, and describes the series connection of at least one coil with other circuit elements.)

Upon careful review of the Figure 2 which the Examiner relied upon in the Interview of July 12, applicant's attorney now sees that the elements that appeared to be wire elements joining the coils in that drawing are simply a graphic "box" indicating the speaker 12. If this graphical rectangle were interpreted as wires, they would short circuit both ends of all coils and result in a totally inoperative device meltdown. Thus the direct connection relied on by the Examiner is not a connection at all, but simply a graphic representation that all the elements are part of a single speaker. The figures and text of Watkins '216, even in Figure 2, do not show the direct connection feature claimed by applicant, and the reference thus entirely fails to anticipate the "directly connected in parallel" limitation of applicant's independent claims. Moreover the Watkins invention has nothing to do with enhanced field utilization in the gap as claimed by applicant, but instead simply seeks to provide coil and circuit arrangements that improve response in one band while undergoing trade-offs in another.

During the interview, The Examiners had stated that the claimed feature is not novel in view of unstated other art, and applicant's attorney had indicated that a further limitation that the

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two or more coils *are substantially identical* would be acceptable if the Examiner felt that more specific language would be acceptable.

However, since the Examiner's arguments have been based on a faulty interpretation of the Watkins Figure and a selective citation of the text that does not address the issue, applicant hereby requests that the Examiner again reconsider the application, withdraw the rejections and allow the independent claims and all claims dependent therefrom. If there is any way the below signed attorney can clarify matters or otherwise expedite prosecution of this case, a telephone call would be greatly appreciated.

Respectfully submitted,

NUTTER, MCCLENNEN & FISH, LLP

Date: July 12, 2001



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July 12, 2001

Michael I. Falkoff

TO: Examiner D. Harvey

Group Art Unit 3726

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Trademark Office**

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Client/ Matter No.: 102316-3

**INTERVIEW SUMMARY, CORRECTION and
REQUEST FOR RECONSIDERATION**

Re: U.S. Patent Application for
LOW COST MOTOR DESIGN FOR RARE-EARTH-MAGNET LOUDSPEAKERS
Serial No. 09/439,416
Applicant: Godehard A. Guenther
Our File No. 0102316-00003

Please note this corrects an error in our interview, and I believe reconsideration is in order.

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